

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

IN RE:

EDINBURG INVESTMENTS, LLC

Debtor.

Case No. 11-51167

Chapter 11

**ORDER AUTHORIZING DEBTOR TO EMPLOY YANCEY, MILLER, HELSLEY &  
BOWMAN, CPA'S, PLLC AS ACCOUNTANT FOR THE DEBTOR NUNC PRO TUNC  
TO THE PETITION DATE**

The matter before the Court is the Application by Debtor to Employ Yancey, Miller, Helsley & Bowman, CPA's, PLLC as Accountant for the Debtor *Nunc Pro Tunc* to the Petition Date (the "**Application**").<sup>1</sup> Having reviewed the Application and the Declaration of Richard H. Yancey, partner of Yancey, Miller, Helsley & Bowman, CPA's, PLLC ("**Yancey**"), attached to the Application as Exhibit B (the "**Declaration**"), the Court finds that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (b) Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; (c) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (d) notice of the Application (and service of the proposed order) was sufficient under the circumstances; and (e) the Application and the Declaration are in full compliance with all applicable provisions of the Bankruptcy Code, 11 U.S.C. § 101 *et seq.* (the "**Bankruptcy Code**"), the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), and the Local Rules of this Court (the "**Local Rules**"). The Court further finds that Yancey does not hold or represent any interest adverse to the above-referenced Debtor's estate and is a "disinterested person" as defined in § 101(14) of the Bankruptcy Code and as required by § 327(a) of the Bankruptcy Code and the Debtor's

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<sup>1</sup> All capitalized terms not defined herein but defined in the Motion or the attachments thereto shall have the meanings ascribed to them in the Motion or the attachments thereto.

employment of Yancey in accordance with the Application, the Engagement Agreement attached to the Application as **Exhibit C** (the “**Engagement Agreement**”), and this Order is in the best interests of the Debtor, its estates, and creditors.

Based upon the foregoing, and for good cause shown, it is hereby accordingly

**ORDERED**

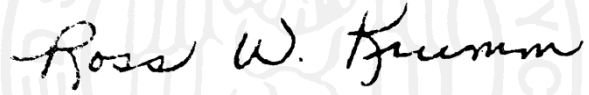
that:

1. The Application is **GRANTED**.
2. Capitalized terms not otherwise defined herein have the meanings ascribed to them in the Application.
3. The Debtor is authorized to retain and employ Yancey as its accountants in this chapter 11 case, pursuant to § 327 of the Bankruptcy Code, on the terms and conditions set forth in the Application and Engagement Agreement, effective as of the Petition Date.
4. Yancey is authorized to assist the Debtor in all matters as described in the Application and the Engagement Agreement.
5. All of Yancey’s fees and expenses in this case shall be subject to approval of the Court in accordance with the procedures set forth in the Bankruptcy Code, Bankruptcy Rules, Local Rules of this Court, and any applicable orders of this Court.
6. If no written objection to entry of this Order is filed within 14<sup>2</sup> days of the date of entry of this Order, this Order shall immediately and automatically become a final order without need for further action from any party or the Court. Any objection to the entry of this Order, timely filed with notice provided to counsel to the Debtor, shall be heard at 11:00 AM on October 19, 2011 in Harrisonburg.

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<sup>2</sup> Local Rule 2014-1

ENTERED this 16th day of September, 2011.



UNITED STATES BANKRUPTCY JUDGE

REQUESTED:

EDINBURG INVESTMENTS, LLC

By: /s/ A. Carter Magee, Jr.  
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*Counsel for the Debtor*

SEEN:

UNITED STATES TRUSTEE

By: /s/ Margaret K. Garber

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